

(ii) Blister mite or canker worm injury which affects an aggregate area of more than three-fourths inch in diameter or which materially deforms or disfigures the fruit.<sup>2</sup>

(6) Disease: (i) Scab spots which are black and which cover an aggregate area of more than one-half inch in diameter, except that scab spots of a russet character shall be considered under the definition of russetting.<sup>2</sup>

(ii) Sooty blotch which is thinly scattered over more than 15 percent of the surface, or dark, heavily concentrated spots which affect an area of more than three-fourths inch in diameter.<sup>2</sup>

### Subpart—United States Standards for Winter Pears<sup>1</sup>

SOURCE: 20 FR 5752, Aug. 10, 1955, unless otherwise noted. Redesignated at 42 FR 32514, June 27, 1977, and further redesignated at 46 FR 63203, Dec. 31, 1981.

#### GENERAL

#### § 51.1300 General.

These standards apply to varieties such as Anjou, Bosc, Winter Nelis, Comice, Flemish Beauty and other similar varieties.

#### GRADES

#### § 51.1301 U.S. Extra No. 1.

“U.S. Extra No. 1” consists of pears of one variety which are mature, but not overripe, carefully hand-picked, clean, well formed, free from decay, internal breakdown, scald, freezing injury, worm holes, black end, hard end, drought spot, and free from injury caused by russetting, limbrubs, hail, scars, cork spot, sunburn, sprayburn, stings or other insect injury, or mechanical or other means, except that they shall be free from damage caused by bruises, broken skins, or disease. (See §§ 51.1306 and 51.1309.)

#### § 51.1302 U.S. No. 1.

“U.S. No. 1” consists of pears of one variety which are mature, but not

<sup>1</sup>Packing of the product in conformity with the requirements of these standards shall not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic Act.

over-ripe, carefully hand-picked, clean, fairly well formed, free from decay, internal breakdown, scald, freezing injury, worm holes, black end, and from damage caused by hard end, bruises, broken skins, russetting, limbrubs, hail, scars, cork spot, drought spot, sunburn, sprayburn, stings or other insect injury, disease, or mechanical or other means. (See §§ 51.1306 and 51.1309.)

#### § 51.1303 U.S. Combination.

A combination of U.S. No. 1 and U.S. No. 2 may be packed. When such a combination is packed, at least 50 percent of the pears in any container shall meet the requirements of U.S. No. 1. (See §§ 51.1306 and 51.1309.)

#### § 51.1304 U.S. No. 2.

“U.S. No. 2” consists of pears of one variety which are mature, but not overripe, carefully hand-picked, clean, not seriously misshapen, free from decay, internal breakdown, scald, freezing injury, worm holes, black end, and from damage caused by hard end, or broken skins. The pears shall also be free from serious damage caused by bruises, russetting, limbrubs, hail, scars, cork spot, drought spot, sunburn, sprayburn, stings or other insect injury, disease, or mechanical or other means. (See §§ 51.1306 and 51.1309.)

#### UNCLASSIFIED

#### § 51.1305 Unclassified.

“Unclassified” consists of pears which have not been classified in accordance with any of the foregoing grades. The term “unclassified” is not a grade within the meaning of these standards, but is provided as a designation to show that no grade has been applied to the lot.

#### TOLERANCES

#### § 51.1306 Tolerances.

(a) In order to allow for variations incident to proper grading and handling, not more than a total of 10 percent of the pears in any lot may fail to meet the requirements of grade: *Provided*, That not more than 5 percent shall be seriously damaged by insects, and not more than 1 percent shall be allowed for decay or internal breakdown.